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ELMER E. WALKER,

v.

Petitioner,

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

No. CV 02-3506-TJH(CW)

ORDER ACCEPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

JIM HAMLET (Warden), )

Respondent. )

Pursuant to 28 U.S.C. § 636(b)(1)(C), the court has reviewed the entire record in this action, as well as the Second Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation have been received.

IT IS ORDERED: (1) that the Second Report and Recommendation of the United States Magistrate Judge be accepted; and (2) that judgment be entered denying the petition and dismissing this action with prejudice.

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IT IS FURTHER ORDERED that this order and the judgment herein be served on the parties. Teny J. Hatter, for DATED: June 20, 2010 TERRY J. HATTER, JR. United States District Judge